

FOSTER GARVEY PC
Eryn Karpinski Hoerster, OSB #106126
121 SW Morrison Street, Eleventh Floor
Portland, Oregon 97204-3141
Telephone: +1.503.228.3939
Facsimile: +1.503. 226.0259
eryn.hoerster@foster.com

LATHAM & WATKINS LLP
Melanie M. Blunschi (*pro hac vice*)
Daniel R. Gherardi (*pro hac vice*)
140 Scott Drive
Menlo Park, California 94025
Telephone: +1.650.328.4600
Facsimile: +1.650.463.2600
daniel.gherardi@lw.com

Attorneys for Expensify Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CODY WILHITE, individually, and on behalf
of all others similarly situated,

Plaintiff,

v.

EXPENSIFY, INC., DAVID BARRETT,
RYAN SCHAFFER, BLAKE BARTLETT,
ROBERT LENT, ANU MURALIDHARAN,
JASON MILLS, DANIEL VIDAL, TIMOTHY
L. CHRISTEN, YING (VIVIAN) LIU, ELLEN
PAO, J.P. MORGAN SECURITIES, LLC,
CITIGROUP GLOBAL MARKETS INC.,
BofA SECURITIES, INC., PIPER SANDLER
& CO., JMP SECURITIES LLC, and LOOP
CAPITAL MARKETS LLC,

Defendants.

Case No.: 3:23-cv-01784-JR

**EXPENSIFY DEFENDANTS' UNOPPOSED
MOTION TO CONTINUE HEARING ON
OBJECTIONS TO FINDINGS &
RECOMMENDATION**

Hon. Amy M. Baggio

LOCAL RULE 7-1 CERTIFICATION

In accordance with LR 7-1(a), counsel for Expensify Defendants certifies that they have conferred with counsel for Plaintiff and counsel for Underwriter Defendants regarding the subject matter of this Motion. Plaintiff and the Underwriter Defendants do not object to this Motion.

MOTION

Expensify Defendants, by and through their counsel, hereby move for a continuance of the hearing set for the pending Objections to Findings & Recommendation, currently scheduled for March 13, 2025, at 9:30 a.m. before Judge Amy M. Baggio, by the Court's Order (Doc. 71), to a mutually convenient date in March or April, 2025.

Good cause exists for the requested continuance. The Plaintiffs and the Expensify Defendants (jointly with the Underwriter Defendants) each filed objections to Judge Russo's Findings and Recommendations (the "Objections") on January 21, 2025 (*see* ECF Nos. 66 & 67). The parties filed responses to their opposing party's Objections on February 4, 2025 (ECF Nos. 69 & 70). On March 1, 2025, the Court scheduled oral argument on the parties' Objections for March 13, 2025.

However, Melanie Blunschi, the attorney designated by the Expensify Defendants to argue their Objections to Findings & Recommendation, has a preexisting commitment to travel for a different business matter on March 13, and will be unable to appear and attend the hearing as scheduled. Ms. Blunschi has additional conflicts for other client matters that require her to be in San Francisco during the week of March 17. The other attorney who would otherwise be available to argue on behalf of the Defendants, Daniel Gherardi, is currently on parental leave.

Counsel for the Underwriter Defendants and Plaintiff do not oppose this motion.

For scheduling purposes, counsel for the Expensify Defendants has conferred with counsel for Plaintiffs and for the Underwriter Defendants, and all parties are available on the afternoon of March 27, 2025, March 28, 2025, between April 7 and April 11, 2025.

DATED: March 4, 2025.

Respectfully submitted,

FOSTER GARVEY PC

By: /s/ Eryn Karpinski Hoerster

Eryn Karpinski Hoerster, OSB #106126
121 SW Morrison Street, Eleventh Floor
Portland, Oregon 97204-3141
Telephone: +1.503.228.3939
Facsimile: +1.503. 226.0259
eryn.hoerster@foster.com

LATHAM & WATKINS LLP

Melanie M. Blunschi (*pro hac vice*)

Daniel R. Gherardi (*pro hac vice*)

140 Scott Drive

Menlo Park, California 94025

Telephone: +1.650.328.4600

Facsimile: +1.650.463.2600

daniel.gherardi@lw.com

Attorneys for Expensify Defendants